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*Counsel for Plaintiff and the Proposed Class*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

ADAM BERKSON, on behalf of himself and all  
others similarly situated,

Plaintiff,

v.

GOGO LLC and GOGO Inc.,

Defendants.

Case No. 1:14-cv-01199-JBW-LB

**PLAINTIFF'S RESPONSE TO  
DEFENDANTS' APRIL 4, 2014 MOTION**

**Current Hearing Date: May 5, 2014**

**Current Hearing Time: 11:30 a.m.**

**Location: 10B South**

Plaintiff Adam Berkson (“Plaintiff”), through his undersigned counsel, submits the following in response to Defendants’ Motion to Compel Arbitration or Transferring the Action to the Northern District of Illinois, Motion to Dismiss for Failure to State a Claim (“Defendants’ Motion”) filed by Defendants on April 4, 2014 (Dkt. 9).

Pursuant to Federal Civil Procedure Rule 15(a)(1)(B), Plaintiff can amend his complaint once as a matter of right within 21 days of the filing of Defendants’ Motion.

Plaintiff will file an amended complaint by April 25, 2014, thereby rendering Defendants’ Motion moot.

Dated: April 18, 2014

Respectfully submitted,

/s/ Michael R. Reese

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